

1 LYSSA S. ANDERSON
Nevada Bar No. 5781
2 KRISTOPHER J. KALKOWSKI
Nevada Bar No. 14892
3 KAEMPFER CROWELL
1980 Festival Plaza Drive, Suite 650
4 Las Vegas, Nevada 89135
Telephone: (702) 792-7000
5 Fax: (702) 796-7181
landerson@kcnvlaw.com
6 kkalkowski@kcnvlaw.com

7 *Attorneys for Defendants*
Las Vegas Metropolitan Police Department,
8 *Vanessa Mitchell, and Don'te Mitchell*

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 MARY SMITH, individually, and as Special
Administrator of the Estate of JAMES
12 PEREA,

13 Plaintiffs,

14 vs.

15 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; WELLPATH, LLC; RN
RACHEL CLARK; RN TANJA
16 WASIELEWSKI; RN GENEVA BESSIE;
LCSW SANDRA CELIS; MA/LNA
17 MELEKA ST. JOHN. RN STEPHANIE
ESTALA; NP HUGH ANDREW ROSSET;
18 NP SHELLEY AMEDURI; PA ANDREA
BALOGH; RN AYNUR KABOTA;
19 CORRECTIONS OFFICER VENESSA
MITCHELL; CORRECTIONS OFFICER
20 DON'TE MITCHELL; CORRECTIONS
OFFICER JOSHUA WALDMAN; DOES 1-
21 30,

22 Defendants.

Case No.: 2:23-cv-00092-JAD-NJK

**STIPULATION AND ORDER TO
EXTEND TIME TO FILE A
RESPONSE TO PLAINTIFFS'
OBJECTION**

[ECF No. 101]
First Request

23 Pursuant to LR 6-1, Mary Smith, individually and as Special Administrator of the Estate
24 of James Perea ("Plaintiffs"), Las Vegas Metropolitan Police Department, Vanessa Mitchell and

Don'te Mitchell ("LVMPD Defendants"), and Wellpath, LLC, Rachel Clark, Tanja Wasielewski, Geneva Bessie, Sandra Celis, Meleka St. John, Stephanie Estala, Hugh Andrew Rosset, Shelley Ameduri, and Andrea Balogh ("Wellpath Defendants") through their respective Counsel, stipulate, agree, and request that this Court extend the deadline for the Defendants to file a Response regarding Plaintiffs' Objection, (ECF No. 101), from the current date of August 26, 2024, for an additional 4 days, to **Friday, August 30, 2024**.

1. On May 10, 2024, Plaintiffs filed a Motion to Amend, (ECF No. 80), seeking leave to file a Second Amended Complaint adding a new defendant.

2. On July 29, 2024, Magistrate Judge Nancy J. Koppe entered a Report and Recommendation, (ECF No. 99), for the Court to deny Plaintiffs' Motion to Amend, (ECF No. 80).

3. On August 12, 2024, Plaintiffs filed an Objection, (ECF No. 101), to the Report and Recommendation.

4. Defendants' deadline to file a Response to the Objection is Monday, August 26, 2024.

5. Federal Rule of Civil Procedure 6(b) and Local Rule IA 6-1 impose a good cause standard to extend the deadline file a Response. "'Good cause' is a non-rigorous standard that has been construed broadly across procedural and statutory contexts." *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010).

6. Good cause exists to extend the deadline for Defendants to file a Response to the Objection by 4 days—to Friday, **August 30, 2024**—in light of Defendants' need for additional time to complete briefing. The current deadline to file the Response arises around the same time of the deadline to file dispositive motions in this case (August 23, 2024), as well as ongoing

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1 deadlines for other matters apart from this case.¹

2 7. An extension of time will ensure that the Court has appropriate briefing before
3 making a ruling.

4 DATED this 22nd day of August, 2024.

DATED this 22nd day of August, 2024.

5 By: /s/ Lyssa S. Anderson

By: /s/ Peter Goldstein

6 Lyssa S. Anderson (SBN 5781)
7 Kristopher J. Kalkowski (SBN
8 14892)
9 1980 Festival Plaza Drive, Suite 650
10 Las Vegas, Nevada 89135
11 ***Attorneys for LVMPD Defendants***

Peter Goldstein (SBN 6992)
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145
Clyde Rastetter
199 Cook Street, Suite 308
Brooklyn, NY 11206
Attorney for Plaintiffs

9 DATED this 22nd day of August, 2024.

/s/ Robert D. Rourke

10 S. Brent Vogel (SBN 6858)
11 Robert D. Rourke (SBN 5757)
12 6385 S. Rainbow Blvd, Suite 600
13 Las Vegas, NV 89118
14 ***Attorneys for Wellpath Defendants***

14 **IT IS SO ORDERED.**

15 DATED this 23rd day of August, 2024.

16 
17 UNITED STATES DISTRICT COURT JUDGE

23 ¹ On August 21, 2024, the parties agreed to a Stipulation that would extend the deadline to file
24 dispositive motions by 30 days. The parties will be submitting a Stipulation for the Court's
consideration.